

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION

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|----------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No.: 15-06001-CR-SJ-BP |
| |) | |
| FRANCISCO ORTEGA-MONTALVO, |) | |
| |) | |
| Defendant. |) | |

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on October 14, 2015. Defendant Ortega-Montalvo appeared in person and with appointed counsel Ronna Holloman-Hughes. The United States of America appeared by Assistant United States Attorney John Cowles.

I. BACKGROUND

On January 6, 2015, an indictment was returned charging Defendant with one count of illegal reentry, in violation of 8 U.S.C. §§ 1326(a) and (b)(2).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Cowles announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Scott Lindsey, Homeland Security.

Ms. Holloman-Hughes announced that she will be the trial counsel for Defendant Ortega-Montalvo.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Cowles announced that the government intends to call 1 witness during the trial.

Ms. Holloman-Hughes announced that Defendant Ortega-Montalvo does not intend to call any witnesses during the trial. Defendant will not testify.

V. TRIAL EXHIBITS

Mr. Cowles announced that the government will offer approximately 5 exhibits in evidence during the trial.

Ms. Holloman-Hughes announced that Defendant Ortega-Montalvo will not offer any exhibits in evidence during the trial.

VI. DEFENSES

Ms. Holloman-Hughes announced that Defendant Ortega-Montalvo will not present a defense.

VII. POSSIBLE DISPOSITION

Ms. Holloman-Hughes stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to the presentation of evidence.

IX. TRIAL TIME

Counsel were in agreement that this case will take 1 hour to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed June 16, 2015, counsel for each party file and serve a list of exhibits he/she intends to offer in evidence

at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by October 14, 2015.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

The parties are requesting a bench trial at the earliest opportunity following the current trial docket.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
October 14, 2015
cc: Mr. Kevin Lyon